

### **REMARKS**

Claims 1-20, 22, 25, 28-32, 42 and 43 have been amended. Claims 1-46 remain in the application.

The amendments to the claims are fully supported in the specification and drawings and do not introduce new matter.

Claims 18 and 25 are objected to for informalities identified in the Office Action at page 2. It is submitted that the amendments to these claims remove the basis for the objection.

Claims 1-18, 20, and 21 are rejected for anticipation by US Patent No. 5,717,689 ("Ayanoglu"). That rejection is respectfully traversed for the following reasons.

Claim 1, as amended, is directed to a method for "processing communications in response to a digital frame structure" which includes:

"accepting a command for defining a hierarchical order of overhead section bytes in an overhead section in a digital frame structure;

defining the hierarchical order in response to the command;

receiving communications including a digital frame structure with overhead section bytes programmed by a source of the communications; and

processing the communications if the defined hierarchical order of overhead section bytes matches overhead bytes in the programmed overhead section bytes."

Ayanoglu describes a data link layer protocol for transferring ATM (asynchronous transfer mode) cells over a wireless link. A number of message formats are described that enable selectively repeated automatic repeat requests and selective forward error correction of ATM cells over the link. However, Ayanoglu's description of the data link layer omits nodes that accept commands defining a hierarchical order of overhead bytes and configure themselves appropriately in response to such commands. Any mention of "commands" is absent from Ayanoglu's specification. Further, the notion of defining a hierarchical order in response to a command does not comport with Ayanoglu's protocol which appears to maintain a fixed distribution of functions among the levels described.

Further, Ayanoglu does not describe any control mechanization by which nodes decode and respond to received messages, and therefore omits "processing the communications if the defined hierarchical order of overhead section bytes matches overhead bytes in the programmed overhead section bytes."

Accordingly, Ayanoglu does not anticipate claims 1-18, 20, and 21.

Claims 28-43 are rejected for anticipation by US Patent No. 5,710,756 ("Pasternak"). That rejection is respectfully traversed for the following reasons.

Claim 28, as amended, covers an integrated circuit (IC) relay system for processing communications in response to segmenting a digital frame structure. The system includes:

"at least a first relay node including:

a frame receiver including an overhead receiver to receive the overhead section of a frame, a payload receiver to receive the payload section of the frame, and a decoder to provide a forward error corrected (FEC) frame;

wherein the overhead receiver includes an input to accept a command to select a hierarchical order in the overhead section of received digital frame structure communications;

wherein the overhead receiver selects a hierarchical order in response to the command; and

wherein the frame receiver processes communications in response the selected hierarchy."


The proposition in the Office Action is that the "overhead receiver" of claim 28 corresponds to element 65 shown in FIG. 6 of Pasternak. This element is an "overhead interface" that gathers overhead bits. See Pasternak at column 7, lines 5-7. However, where the overhead bits gathered by the overhead interface come from is not disclosed. Pasternak does not describe the overhead interface 65 as receiving "the overhead section of a frame". All communications are evidently received by a line interface 61. Nor is the overhead interface 65 described as having "an input to accept a command to select a hierarchical order in the overhead section of received digital frame structure communications". The only connections to the overhead interface 65 that are shown in FIG. 6 of Pasternak are not described in the specification. Finally, the "gathering" function described by Pasternak for the overhead interface 65 is not and does not suggest that this element is able to select "a hierarchical order in response to the command". Accordingly, Pasternak does not anticipate claims 28-43.

Claims 19 and 22-24 are rejected for obviousness over Ayanoglu in view of US Patent 5,555,477 ("Tomooka") and claims 25-27 are rejected over Ayanoglu in view of US Patent 5,835,710 ("Nagami"). Claims 19 and 22-27 are dependent from claim 1 and therefore include the method acts of accepting, defining, and processing recited in claim

1 that are not included in Ayanoglu for reasons given above. Accordingly, these claims are not obvious over the proposed combinations.

Claims 44 is rejected for obviousness over Pasternak in view of Nagami and claims 45-46 are rejected over Pasternak in view of Tomooka. Claims 44-46 are dependent from claim 28 and therefore include the overhead receiver recited in claim 28 that is not included in Pasternak for reasons given above. Accordingly, these claims are not obvious over the proposed combinations.

Respectfully submitted,



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